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- 3. Defendant denies knowledge or information sufficient to form a belief as to each and every allegation contained in **SECOND**PARAGRAPH "3" of the complaint.
- 4. Defendant denies knowledge or information sufficient to form a belief as to each and every allegation contained in **SECOND**PARAGRAPH "4" of the complaint.
- 5. Defendant denies knowledge or information sufficient to form a belief as to each and every allegation contained in paragraph "5" of the complaint.
- 6. Defendant denies knowledge or information sufficient to form a belief as to each and every allegation contained in paragraph "6" of the complaint.
- 7. Defendant denies knowledge or information sufficient to form a belief as to each and every allegation contained in paragraph "7" of the complaint.
- 8. Defendant denies knowledge or information sufficient to form a belief as to each and every allegation contained in paragraph "8" of the complaint.
- 9. Defendant denies knowledge or information sufficient to form a belief as to each and every allegation contained in paragraph "9" of the complaint.
- 10. Defendant denies each and every allegation contained in paragraph "10" of the complaint.

- 11. Defendant denies each and every allegation contained in paragraph "11" of the complaint.
- 12. Defendant denies each and every allegation contained in paragraph "12" of the complaint.
- 13. Defendant denies each and every allegation contained in paragraph "13" of the complaint.
- 14. Defendant denies each and every allegation contained in paragraph "14" of the complaint.
- 15. Defendant denies each and every allegation contained in paragraph "15" of the complaint.
- 16. Defendant denies each and every allegation contained in paragraph "16" of the complaint.
- 17. Defendant denies each and every allegation contained in paragraph "17" of the complaint.
- 18. Defendant denies each and every allegation contained in paragraph "18" of the complaint.
- 19. Defendant denies each and every allegation contained in paragraph "19" of the complaint.
- 20. Defendant denies each and every allegation contained in paragraph "20" of the complaint.
- 21. Defendant denies each and every allegation contained in paragraph "21" of the complaint.
- 22. Defendant denies each and every allegation contained in paragraph "22" of the complaint.

- 23. Defendant denies each and every allegation contained in paragraph 23" of the complaint.
- 24. Defendant denies each and every allegation contained in paragraph "24" of the complaint.
- 25. Defendant denies each and every allegation contained in paragraph "25" of the complaint.
- 26. Defendant denies each and every allegation contained in paragraph "26" of the complaint.
- 27. Defendant denies each and every allegation contained in paragraph "27" of the complaint.
- 28. Defendant denies each and every allegation contained in paragraph "28" of the complaint.

AS AND FOR A FIRST AFFIRMATIVE DEFENSE

29. Plaintiff's complaint fails to state a cause of action.

WHEREFORE, the defendant respectfully requests that plaintiff's complaint be dismissed.

Dated: New York, NY
June 25, 2008

Arthur Sanders (AS-1210)
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212-660-1050

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TO:

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